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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,192	10/11/2000	Anders Johnson	108339-00031	5268
32294	7590	05/05/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			HA, LEYNNA A	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary****Application No.**

09/685,192

**Applicant(s)**

JOHNSON, ANDERS

**Examiner**

LEYNNA T. HA

**Art Unit**

2135

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-25 and 27-29 is/are pending in the application.  
4a) Of the above claim(s) 26 is/are ~~withdrawn from consideration~~, cancelled.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-25 and 27-29 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_.

**DETAILED ACTION**

**1.** This is a Non-Final office action since this is the first examination in response to Applicant's Request for Continuation Examination.

Applicant amended independent claims 1, 13, and 20 and cancelled claim 26.

**2.** Claims 1-25 and 27-29 have been rejected under 35 U.S.C. 103(a).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**3. Claims 1-25 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tello (US 6,463,537), and further in view of Angelo, et al. (US 6,370,649).**

**As per claim 1:**

Tello discloses an apparatus for enabling functionality of a component, wherein comprises an identification module for storing an identification number therein (COL.15, lines 44-45), a hash function module in

communication with the identification module (COL.16, lines 30-33), a host in communication with the identification module (COL.9, lines 21-31), a guess register in communication with the host, an encryption module in communication with the guess register (COL.24, lines 46-50), a public key module in communication with the encryption module for storing a public key therein (COL.15, lines 6-9), and a comparator in communication with the encryption module and the hash function module (COL.16, lines 40-55) wherein the comparator compares a first bit string to a second bit string (col.15, lines 52-65 and col.16, lines 13-26) to generate a function enable output for the component (col.19, lines 12-25 and col.37, lines 27-42).

However, Tello fails to include the host is configured to communicate with a manufacturer to request a guess passcode corresponding to the identification number stored in said identification module.

Angelo teaches a computer system that implements a fail safe password system that allows the manufacturer to securely supply a password to users (col.2, lines 1-2) that is based on the date and serial number (col.6, lines 16-18). It would have been obvious for a person of ordinary skills in the art to communicate to request a password corresponding to the identification number because the password supplied by the manufacturer is stored in a secure non-volatile memory that helps ensure users who lose or misplace their passwords from being bypassed and by the manufacturer supplying the password is less

likely to obtain than if the passwords were to be stored in the computers themselves (col.1, lines 31-63).

**As per claim 2:** See Tello on col.14, lines 62-63 and col.24, lines 46-52; discussing identification module comprises an onboard nonvolatile register.

**As per claim 3:** See Tello on col.7, lines 64-66 discussing one way hash function.

**As per claim 4:** See Tello on col.23, lines 55-61 and col.24, lines 19-50; discussing the encryption module further comprises a public key encryption module wherein is configured to receive the public key and guess passcode as inputs and generates a ciphertext bit string as an output (col.19, lines 12-25 and col.37, lines 27-42).

**As per claim 5:** See Tello on col.9, line 33 – col.12, line 47; discussing selecting at least one of the function enable output and a bonding option output. (col.19, lines 12-25 and col.37, lines 27-42)

**As per claim 6:** See Tello on col.13, lines 1-56 discussing an OR gate having at least one input for receiving the function enable output and the bonding option output (col.19, lines 12-25 and col.37, lines 27-42).

**As per claim 7:**

Tello discusses the bonding option circuit comprising a pull resistor in communication with the OR gate and a power supply and a switch in communication with a ground potential and the OR gate (COL.6, line 60 – COL.7, line 3).

**As per claim 8:**

Tello includes a multiplexer having at least one multiplexer input in communication with the comparator and a multiplexer output, a selection circuit in communication with at least one multiplexer input (COL.13, lines 5-49), and a bonding option circuit in communication with the multiplexer input wherein the multiplexer is configured to receive a selection input from the selection circuit that is used to determine whether to enable functionality (COL.9, lines 33-49 and COL.12, lines 35-45) of said component in accordance with the bonding option output or the function enable output 9col.19, lines 12-25 and col.37, lines 27-42).

**As per claim 9:**

Tello discusses at least a first non-volatile memory location having at least one first selection bit stored therein and at least second non-volatile memory location having at least one second selection bit stored therein (COL.15, lines 1-35). Further, Tello includes an OR gate having a first input, a second inverted input, and a logic output with the first input being in communication with at least one first non-volatile memory location and the second inverted input being in communication with at least one second non-volatile memory location (col.19, lines 12-25 and col.37, lines 27-42) wherein the selection circuit is configured to generate a selection indicator on the logic output of the OR gate in accordance with the first selection bit and the second selection bit (COL.13, lines 6-58).

**As per claim 10:** See Tello on col.15, lines 52-65; col.16, lines 13-26 and col.20, lines 1-23; discussing the ciphertext bit string.

**As per claim 11:** See Tello on col.16, lines 30-32 discussing the hash value generated by the hash function module.

**As per claim 12:** See Tello on col.11, lines 50-52 discussing the network switch and a media access controller.

**As per claim 13:**

Tello discloses a component for selectively enabling functionality of an electronic device comprising a means for generating an encrypted bit string (COL.15, lines 7-11), a hash function module in communication with the identification module (COL.15, lines 21-23) and a means for acquiring a guess passcode (COL.9, lines 20-24). Tello includes a hash function in communication with an on board memory having a predefined identification number stored therein (COL.9, lines 26-30) and means for determining if the encrypted bit string matches the guess passcode (COL.16, lines 40-55 and COL.24, lines 47-52) and means for outputting a functionality enable signal (col.19, lines 12-25 and col.37, lines 27-42). However, Tello fails to include the acquiring the passcode or password from a manufacturer.

Angelo teaches a computer system that implements a fail safe password system that allows the manufacturer to securely supply a password to users (col.2, lines 1-2) that is based on the date and serial number (col.6, lines 16-

18). It would have been obvious for a person of ordinary skills in the art to communicate to request a password corresponding to the identification number because the password supplied by the manufacturer is stored in a secure non-volatile memory that helps ensure users who lose or misplace their passwords from being bypassed and by the manufacturer supplying the password is less likely to obtain than if the passwords were to be stored in the computers themselves (col.1, lines 31-63).

**As per claim 14:** See Tello on col.20, lines 1-23 discussing the a public key encryption module is in communication with the public key module having a public key stored therein and a guess register in communication (col.19, lines 12-25 and col.37, lines 27-42) with the public key encryption module wherein receives the guess passcode from the guess register and the public key from the public key module in order to generate a ciphertext bit string (COL.37, line 26 – COL.38, line 7).

**As per claim 15:**

Tello discloses a host in communication with means for generating an encrypted bit string (COL.15, lines 7-11), an identification module in communication with the host (COL.9, lines 20-24) wherein the host is configured to communicate (col.19, lines 12-25 and col.37, lines 27-42) with a manufacturer of the component to request the guess passcode corresponding to an identification number stored in the identification module (COL.38, lines 11-48).

**As per claim 16:**

Tello includes an onboard nonvolatile register having an identification number stored therein (col.14, lines 62-63 and col.24, lines 46-52) and a one-way hash function module that receives an identification number from the on board memory and generates a corresponding hash value (col.16, lines 30-33).

**As per claim 17:** See Tello on col.24, lines 48-52 discussing a comparator.

**As per claim 18:**

Tello includes the bonding option circuit (COL.9, line 33 – COL.12, line 47) and an OR gate that receives an input from the bonding option circuit and means for determining and generating the enable signal (col.13, lines 1-56).

**As per claim 19:** See Tello on col.11, lines 50-52 discussing the network switch and a media access controller.

**As per claim 20:**

Tello discloses the steps of encrypting a first bit string and a second bit string to generate a third bit string (COL.37, line 26 – COL.38, line 7), calculating the fourth bit string (COL.16, lines30-33), comparing the fourth bit string to the third bit string, and generating the function enable signal in accordance with the comparison (col.15, lines 52-65 and col.16, lines 13-26).

However, Tello fails to include determining the password by requesting a password from a manufacturer.

Angelo teaches a computer system that implements a fail safe password system that allows the manufacturer to securely supply a password to users (col.2, lines 1-2) that is based on the date and serial number (col.6, lines 16-18). It would have been obvious for a person of ordinary skills in the art to communicate to request a password corresponding to the identification number because the password supplied by the manufacturer is stored in a secure non-volatile memory that helps ensure users who lose or misplace their passwords from being bypassed and by the manufacturer supplying the password is less likely to obtain than if the passwords were to be stored in the computers themselves (col.1, lines 31-63).

**As per claim 21:** See Tello on col.20, lines 1-23 discusses receiving the public key and a guess passcode in an encryption module wherein encrypting the public key and the passcode to generate a ciphertext bit string (COL.37, line 26 – COL.38, line 7).

**As per claim 22:** See Tello on col.16, lines 30-32 discussing generating a hash value corresponding to the hash function module.

**As per claim 23:**

Tello discusses the fourth bit string representing the hash value (COL.16, lines30-33) and the third bit string representing the ciphertext bit string (COL.37, line 26 – COL.38, line 7) and comparing the fourth bit string to the third bit string (col.15, lines 52-65 and col.16, lines 13-26).

**As per claim 24:** See Tello on col.39, line 6-14 discussing the function enable output and a bonding option output. (col.19, lines 12-25 and col.37, lines 27-42)

**As per claim 25:**

Tello includes transmitting the bonding option output to an OR gate as a first input, transmitting the function enable signal to the OR gate as the second input and generating the final enable output from the OR gate in accordance with the first and second inputs (COL.13, lines 6-58).

**As per claim 26: Cancelled**

**As per claim 27:** See Tello on col.9, lines 21-31 and col.24, lines 15-23; discusses calculating the passcode with the predetermined algorithm and transmitting the passcode to an on board host.

**As per claim 28:** See Tello on col.20, lines 13-15 discussing the different types of connections.

**As per claim 29:** See Tello on col.11, lines 50-52 discussing the network switch and a media access controller.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (571) 272-3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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